



UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.

Issued by the Department of Transportation
on the 23rd day of May, 1997

Served: May 23, 1997

Application of	:	
	:	
AIR JAMAICA LIMITED	:	DOCKET OST 96-1881
	:	
for extension of exemption	:	

ORDER

Summary

By this order, we extend Air Jamaica Limited's exemption to conduct scheduled combination operations between New York, New York, and Atlanta, Georgia, on the one hand, and Barbados, on the other, via the intermediate points Antigua and Barbuda and St. Lucia, through July 14, 1997. This authority was last granted by Order 97-4-25 and is limited to operations conducted under wet lease by a duly authorized and properly supervised U.S. or foreign carrier.

Background

On October 18, 1996, Air Jamaica requested an exemption for two years to conduct the extrabilateral operations described above. Amerijet International, Inc., answered and stated that comity and reciprocity did not support grant of the request. Specifically, Amerijet stated that it was unable to secure facilities at Jamaican airports from the Airports Authority of Jamaica to self-handle its cargo, a bilateral right.

By Orders 96-11-30, 97-2-22, 97-3-40 and 97-4-25, the Department found that it was in the public interest to grant Air Jamaica's request, for the reasons noted in those orders, for limited periods, the latest such period ending May 26, 1997, and to defer on the remainder.

Decision

During the periods covered by the Orders noted above, various intergovernmental and intercarrier efforts aimed at resolving Amerijet's concerns have been continuing and positive movement towards resolution of Amerijet's issues has taken place. It is our understanding that substantial progress has been made and, based on this progress, it is our expectation that Amerijet will be able to commence operations to Kingston on July 15, 1997, its planned start-up date for these services. Therefore, we believe that the public interest warrants extending Air Jamaica's authority through July 14, 1997, and deferring action on its pending request for longer-term authority. In the interim, we will continue to closely monitor this matter.

In view of the above, we find that grant of the authority described here is consistent with the public interest, and that our action does not constitute a major regulatory action under the Energy Policy and Conservation Act of 1975.

ACCORDINGLY,

1. We extend Air Jamaica Limited's exemption from the provisions of 49 U.S.C. section 41301, last granted by Order 97-4-25 in this Docket, in order for it to conduct scheduled foreign air transportation of persons, property and mail between New York, New York, and Atlanta, Georgia, on the one hand, and Barbados, on the other, via the intermediate points Antigua and Barbuda and St. Lucia;
2. This authority shall be effective during the period May 27-July 14, 1997;
3. The authority granted above is limited to operations conducted under wet lease from a duly authorized and properly supervised U.S. or foreign carrier. Air Jamaica may not conduct the operations authorized here with its own aircraft and crew without further Department action;
4. To the extent not granted above, we defer action on Air Jamaica's request in this Docket;
5. The authority granted above is subject to the terms, limitations and conditions of Air Jamaica's foreign air carrier permit, as issued by Order 89-3-74;
6. We may amend, modify or revoke this authority at any time and without hearing; and

7. We will serve a copy of this order on Air Jamaica Limited, Amerijet International, Inc., the Ambassador of Jamaica in Washington, D.C., the Department of State (Office of Aviation), and the Federal Aviation Administration (AFS-200).

By:

CHARLES A. HUNNICUTT
Assistant Secretary for Aviation and
International Affairs

(SEAL)